

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CHRISTOPHER M. DEVINE,

Plaintiff,

v.

STOP AND SHOP COMPANIES,

Defendant.

CIVIL ACTION NO. 04-12186-JGD

**EMERGENCY REQUEST FOR EXTENSION OF TIME IN WHICH TO
FILE POST-TRIAL BRIEF**

The Defendant, The Stop and Shop Supermarket Company LLC (“Defendant” or “Stop and Shop”), respectfully requests that this Court grant a brief extension of time in which Defendant may file its post-trial brief in the above-captioned action.

Lead counsel for Stop and Shop has made numerous attempts to contact Plaintiff Christopher Devine in order to arrange for Mr. Devine to review the trial transcripts. Mr. Devine has not responded to any of Stop and Shop’s communications. At this point, counsel for Stop and Shop is uncertain whether Mr. Devine is even aware of the post-trial brief deadline, and is similarly uncertain whether he has had an opportunity to review the transcripts. Additionally, lead counsel for Stop and Shop has been unable to complete the post-trial brief due to his wife’s serious illness.

At trial, this Court ordered that both parties file their post-trial briefs two weeks after the trial transcripts were received by defense counsel. Per the Court’s order, the filing deadline for post-trial briefs is Monday, June 4, 2007. For the reasons stated above, Defendant respectfully requests a brief extension of the filing deadline until Friday, June 8, 2007.

Respectfully submitted,

DEFENDANT
THE STOP AND SHOP SUPERMARKET
COMPANY LLC
By its Attorneys,

/s/ Catherine V. Meek
Daniel B. Klein
Catherine V. Meek
SEYFARTH SHAW LLP
World Trade Center East
Two Seaport Lane Suite 300
Boston, MA 02210-2028
Telephone: (617) 946-4800
Telecopier: (617) 946-4801

DATED: June 1, 2007

CERTIFICATE OF SERVICE

I, Daniel B. Klein, hereby certify that on this 1st day of June, 2007, a true copy of the foregoing document was served via first class mail, postage prepaid, upon the Plaintiff, Christopher M. Devine, 6 Morgan Road, Mansfield, MA 02048.

/s/ Catherine V. Meek
Catherine V. Meek